

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DELBERT ROBERSON,

Defendant.

Case No. 10-00162-05-CR-W-FJG

**GOVERNMENT'S RESPONSE
IN OPPOSITION TO DEFENDANT'S MOTION
FOR EARLY DISCHARGE FROM SUPERVISED RELEASE**

The United States of America, by and through its undersigned attorneys, files its response and suggestions in opposition to defendant Roberson's motion for early termination of supervised release. In support, the Government states the following:

I. INTRODUCTION

On May 26, 2010, a grand jury sitting in the Western District of Missouri returned a superseding indictment charging defendant Delbert Roberson and others with conspiracy to distribute more than 5 kilograms of cocaine and more than 50 grams of cocaine base contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A). (D.E. 2)

On March 28, 2011, Roberson pleaded guilty to Counts one through four pursuant to a written plea agreement and the court ordered a PSR. (D.E. 286, 294.) On September 4, 2012, the Court sentenced Roberson to 60 months imprisonment followed by ten years of supervised release. (D.E. 841.)

On February 23, 2021, Roberson filed his second pro se Motion for Early Discharge from Supervised Release. (D.E. 1436.) In his motion, Roberson states he has been on supervised release for approximately 77 months, he has not incurred any violations, and he has completed all the requirements of supervised release so far. He acknowledges that the Probation Department typically will recommend early termination only after successful completion of at least 75% of a term of supervised release. Here, Mr. Roberson has completed approximately 64% of his term.

United States Probation Officer Chad Obersteadt has filed a memorandum stating that he is opposed to early termination of supervision for Mr. Roberson even though he has done well on supervised release. (D.E. 1438.) The memorandum states that the Probation Department typically reserves recommendations of early termination for first time offenders who have demonstrated extraordinary and exceptional positive adjustment to supervision and are nearing the last stages of supervision.

Accordingly, because Roberson has a serious criminal history and approximately 43 months remaining on his term of supervision the Government recommends the Court deny the request for early termination at this time.

Respectfully submitted,

Teresa A. Moore
Acting United States Attorney

By /s/ Brent Venneman
Brent Venneman
Assistant United States Attorney

Charles Evans Whittaker Courthouse
400 East Ninth Street, Fifth Floor
Kansas City, Missouri 64106
Telephone: (816) 426-2771

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on March 8, 2021, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Brent Venneman

Brent Venneman
Assistant United States Attorney